

JUL 21 2005

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NO. 1880 P. 1/3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric Owahdi) Examiner: Emerson C. Puente
Serial No.: 10/659,851) Via Telefax: 571-273-8300 (3 pages)
Filed: September 10, 2003) Art Unit: 2113
) Notice of Allowance dated
) June 16, 2005
) Confirmation No.: 5528
)
) Re: Terminal Disclaimer
)
Title: "Electronic Apparatus) Our Ref: B-3861div 621075-0
Having Improved Diagnostic) Date: July 21, 2005
Interface"

Submission of Terminal Disclaimer after Notice of Allowance

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is further to our early telefax of today in which we filed a Terminal Disclaimer. Please charge the \$130 official fee to deposit account no. 08-2025.

A copy of our previous telefax is enclosed for your reference.

Respectfully submitted,

Alessandro Steinfl

Alessandro Steinfl
Reg. No. 56,448
LADAS & PARRY
5670 Wilshire Blvd, Ste. 2100
Los Angeles, California 90036
(323) 934-2300

Enclosure: copy of July 21, 2005 telefax submission
cc: Emerson Puente (571) 273-3652

I hereby certify that this correspondence
is being transmitted via facsimile to the United States Patent and Trademark
Office, Fax No. 571-273-8300 on July 21, 2005

By: Reagan Davis

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Sir:

Per the telephone Request of Examiner Emerson Puentes on July 11, 2005 enclosed herewith is an executed Terminal Disclaimer.

Respectfully submitted,



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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)
621078-Q/A8

In re Application of: ERIC OWHADI
Application No.: 10/659,851
Filed: September 10, 2003
For: "ELECTRONIC APPARATUS HAVING IMPROVED DIAGNOSTIC INTERFACE"

The owner, HEWLETT-PACKARD COMPANY, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 109,609,818 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is released; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record. Reg. No. _____

R. Lloyd
Signature

July 18 2005
Date

RICHARD G LLOYD, SENIOR COUNSEL, IP
Typed or printed name

+ 33 4 7614 4897
Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/35/59 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22315-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22315-1480.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

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